

[3rd November 1931]

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1931-32.

GRANT XX—PUBLIC HEALTH

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I move—

' that the Government be granted a further sum not exceeding Rs. 100 under Grant XX—Public Health.'

" Sir, the object of this demand is explained in the explanatory note circulated to the Members. In 1922 the Government sanctioned a scale of pay to the deputy inspectors of vaccination and sanitary inspectors attached to cholera parties as detailed therein. Their general scale was Rs. 60—5—120 per mensem, and there was a selection grade of Rs. 125—5—150 per mensem. Later on in 1923, as a result of the recommendations of the Retrenchment Committee, these scales were reduced and in the Government Order which the Government issued, these latter scales were applied even to those who were employed under the previous scales, and the question whether persons who were already in the higher scale could retain that higher scale under Fundamental Rule 23 was not examined, and the Government Order issued then sanctioning the lower scale applied to these men also. Various representations have subsequently been made by the officers concerned that the Government Order should be revised, but on the merits the Government did not find any need to do so. But in December 1929 objection was taken to the validity of the order itself that it contravened the provisions of Fundamental Rule 23. The question has since been examined by the Government and the Government now propose to revise the order by giving effect to that contention and also to sanction their salaries for 1930 on that basis. The expenditure that the Government will have to incur on this account is Rs. 18,000. These salaries will also entail a future expenditure of Rs. 7,800 for 1932-33, but the amount will gradually disappear as the people entitled to the higher amount go out. I therefore move this demand."

Mr. T. SUNDARA RAO NAYUDU:—" I second it."

11-45 a.m. * Mr. BASHEER AHMED SAYEED:—" Government admitted that they committed a mistake in passing an obscure order, as their statement says, and making the affected officers understand that they were not entitled to exercise an option given to them under the rules. Having admitted the mistake I want to know the *raison d'être* for saying that they will allow only from April 1930 instead of paying them the salaries which they have earned from 1923. I do not see why the Government should refrain from making good the full salaries of those affected. Why should there be a stipulation for payment only from 1930? Further, I would like to know how it was possible, in spite of the Secretariat staff, to draft a rule which deprived the option the officers had under the Fundamental Rule. If, in spite of their efficient service, they committed this mistake,

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why should the officers be made to suffer on account of their mistake? Why should you not extend to them the privilege which they are rightly entitled to from 1923? "

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—" Sir, it is stated in the explanatory note that there was evidently an obvious mistake in the original order. So far as the services are concerned, they knew the rules and they would have to take objection. It is open to Government now after six years to treat the officers as having waived their option. They have thought it right to give them the benefit from the date of order. The objection was taken in December 1929 and it was given effect to from 1st April 1930."

The demand was put and carried and the grant made.

GRANT XXIX—CIVIL WORKS—WORKS—RESERVED AND TRANSFERRED.

* The hon. Mr. P. T. RAJAN:—" Sir I beg to move—
'that the Government be granted a further sum not exceeding Rs. 100.'

" This token demand provides for payment to the contractor of the Tuberculosis Hospital, Spur tank site, consequent on the abandonment of the site. In 1928 Government proposed a scheme for the construction of a Tuberculosis Headquarter Hospital on the Spur tank site. Out of a provision of Rs. 68,000 only a very small sum was spent. In 1929-30 a sum of one lakh was provided for but was not utilized. Owing to the objection raised by the Corporation of Madras and the public of Madras, the construction had to be stopped. The contractor had put in a claim for Rs. 97,000. As a result of the compromise arrived at in consultation with the Government Solicitor it was arranged that he should be paid Rs. 48,000 in complete satisfaction as explained in the explanatory note. The sum had to be paid in September; otherwise Government would have to pay him a big sum by way of interest. This token demand is therefore for the approval of the Council. I hope the Council will be pleased to approve it."

Mr. T. SUNDARA RAO NAYUDU:—" I second it."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—" Mr. President, Sir, I am not at all satisfied with the case made out for this grant. I should like to have further enlightenment on the subject before I could give my assent. The site was considered by the Government of the time and was considered a fit place. Subsequently there was some objection by the Corporation and some residents of the locality. I think Government should consider whether it is not possible to go back to the Spur tank without wasting this money. Every time there is a change in the personnel of the experts in the Medical department, there is a fresh opinion. It seems to me one expert gives one opinion and when he goes away another expert gives another opinion. If Government were to change their opinion with every change of the expert, I should not be surprised at the waste of public money involved. I would advise the Minister to examine the matter once again why money should be

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wasted. I do not see any reason why the Tuberculosis Hospital should not be in the Spur tank site. As a matter of fact the Tuberculosis Institute is already there. The area of the site is about 180 acres. In the view of the Government expert, a hospital at Royapetta will not be a source of danger to the health of the people there. If that is so, why should it be a source of danger at the Spur tank? If the Government take expert opinion they may go back to the Spur tank. It is certainly a very good site and I do not think there is any danger at all. The public were confusing two things. Hospital and sanatorium were two different things. A hospital in Madras is necessary and I do not think you can find a better site anywhere in Madras. It will be a great convenience for people coming to Madras for treatment. I should think that if the Ministry were to change its opinion every time there is a change of expert in the Medical department, there would be a considerable waste of public money."

Mr. ABDUL HAMEED KHAN:—"Sir, I should like to say that the Government have been pursuing a weak-kneed policy not on account of the pressure brought by the Corporation alone but by the agitation created by one or two members of the party to which the Minister belongs. I do not know whether the Government have examined the question and found out that they alone are responsible for the huge waste of public money. I do not know whether the Government have also examined the question that the same contractor may be asked to take the construction of the proposed hospital wherever the Government propose to construct it as early as possible. Why should the contractor expect the Government to make good the loss? Why should he not wait till a better site is secured? Why should the contractor insist on compensation? I am sure Government have negotiated with him and if he is assured that the contract of the fresh building will be given to him, he will certainly not force the Government to pay it this month. I am sure if the various details are examined, Government will come to realize that the claim must be due to the collection of the material which may be useful for some other place or to charges incurred in putting up the basement for the previous building. Further, I am sure Government have come to a decision with regard to the locality where this hospital is to be constructed. There may be an agitation that this should not be constructed in the precincts of the city limits. I do not know if that agitation is on wrong lines and whether expert opinion does not support that statement. Government should not only look to the convenience of the citizens of Madras but of the whole province. So, the proposed hospital should be located within city limits but at the same time not in a locality thickly populated. If you reconsider the question of the construction of the hospital on the Spur tank site, I am sure there will be no objection. After all, the houses near the Spur tank are not so near and I understand that expert medical opinion is not against locating the hospital in an area like the Spur tank which is very extensive. The houses are mostly far away from this place. These are points which I wish the Minister knows before he calls upon us to vote for such a large sum of money which I am afraid is a waste."

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* B. POCKER SAHIB Bahadur:—" This question involves a policy of Government which is a rather strange policy in certain matters. The question of prestige which presses them from above does not come into play here. It is admitted that after due consideration,—and Government do not decide anything without due consideration,—it was decided that the Tuberculosis Hospital should be constructed in the Spur tank. What is the reason that has made Government deviate from this decision? It is said that the Corporation and some other respectable citizens made representations. But what have the Government been doing with reference to the whole country? Have they yielded to the agitation of the whole country in matters of much greater magnitude? In this particular instance, what is it that made the Government deviate from their plan?

" Let us see what the state of affairs is now? The in-patient department of the Tuberculosis Hospital is situated in Royapetta in the very centre of the town, all round which are residents of all kinds. There is the Madras Club near by, a college on one side and shops and residential quarters on other sides and thus it is surrounded by people of all ranks. It is very strange that the Government now think that the Spur tank is not a fit place for locating the in-patient department of the Tuberculosis Institute. Is it, I ask, Sir, in the interests of public health, that this institution should be allowed to continue for years together in the heart of the city, in Royapetta? I do not know whether it is on expert advice that the Government are having this institution in that thickly populated and central part of the city. 12 noon.

" Then, as regards the question of a proper site for the location of the Tuberculosis Hospital, when the Spur tank site has once been decided upon, I do not see why the Government should have deviated from that decision. I understand that there was a proposal that the sanatorium constructed by Dr. Muthu, an expert on Tuberculosis of world-wide reputation, should be taken over by the Government. I fail to see, Sir, why the Government did not consider that proposal fully or why they have given up the plan of choosing the Spur tank site. Except the pretext that the Corporation objected to it or some other respectable citizens objected to it, the Government have not come forward with any other reasons for abandoning that site. The Government do not say even now that expert opinion is against it. If expert opinion is against it, they should consider whether it is not suitable to locate it at the Tambaram Institute on which the Government have also spent some money. It is atrocious on the part of the Government to allow the in-patient department of the Tuberculosis Institute to continue in Royapetta, the very heart of the city.

" Now, so far as this particular grant is concerned, it has been said in the explanatory note that a sum of Rs. 48,000 has been agreed upon as compensation between the Government Solicitor and the contractor. I do not know on what basis this amount was arrived at. If the Government gave the contract and then resiled from it, they might have to pay some damages. But how was this amount of compensation arrived at? Did they appoint an independent arbitrator on the matter, or

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have they ascertained the amount the contractor will be entitled to as damages if he goes to a court of law? What is the actual loss incurred by the contractor? Without going into these matters, did the Government agree to pay compensation simply because the Government Solicitor passed it and the contractor agreed to it? Is it a reason why the Government should agree to pay such a large amount of public money without a proper investigation by an independent arbitrator who could go into the matter thoroughly and who could report as to the exact position in which the Government would be put if the contractor went to a court of law? So, I say that without going into these questions, it is not proper on the part of the Government to have agreed to pay such a large sum of money."

* Mr. F. E. JAMES:—"I only want to say two things on this question. In the first place, there appears to be no alternative to the vote we are asked to pass in this House. It appears that the contractor in question forced the Government to pay up this compensation. I do however hope that Government will not commit themselves in future to giving any other contract to this particular gentleman in question who has treated the Government in this manner in this deal.

"The other thing I wish to say is this, that it is true there is strong feeling against the establishment of this Tuberculosis Hospital on the Spur tank site. That feeling has been expressed in the Corporation, and it would be foolish of anybody to disregard the presence of that feeling. On the other hand, there is also the opinion of those who are qualified to judge on these matters that the Spur tank site is the best possible site, once you feel it is necessary to have a hospital in the city. I would point out that all the concerned interests are agreed about the necessity of a tuberculosis hospital. I am not speaking of a sanatorium which is a different thing from a hospital—being accessible to the people who use it. What I want to suggest is that Government should not close the door to a reconsideration of this matter. I understand from the statement of the hon. the Minister that the question of site for the hospital is still under consideration. When the Corporation debated this matter on the last occasion, the voting was by no means unanimous. I therefore suggest that Government call a further conference of the representatives of the Corporation, the Surgeon-General and some representatives of the public who are affected, with a view to arriving at a solution of the difficulty. I know it was argued in the Corporation that a conference had previously been held, which was infructuous, but they did not pass the resolution unanimously. That shows that there is no bar to a further conference with a view to arriving at a final settlement. I know the Surgeon-General, who at present is on leave, is only too anxious to consider the feelings of the people. Even after the debate in the Corporation that was held with reference to this question, he wished to have a further conference. I, therefore, hope that the hon. Minister will not bolt the door on any possibility of coming to a final settlement. I am one of those, and there are many others, who feel that it is possible to have a hospital

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of this kind in a place which is easily accessible from the point of view of those who desire to use it. To move it outside the city entirely would be a great mistake from a medical point of view. I suggest that there should be one more attempt to arrive at a settlement in accordance with the principles of modern science and, as far as possible, with the citizens' wishes."

* Mr. M. A. MUTHIAH CHETTIYAR:—"I rise to support the motion for this grant. The Government committed a blunder in the earlier stages by trying to locate the hospital in the Spur tank site, and I am glad they abandoned it in response to the wishes of the Corporation and the public, and it is very fair that the contractor should be compensated. The question of the location of the Tuberculosis Hospital has been a long-standing question, ten years old. The Government have been saying that the present place, Temple Gardens, is only temporary. There has been an agitation against the hospital being located within the city. Especially after hearing my hon. Friend, Mr. James, about the discussion in the Corporation on this matter, I would say that where medical opinion differs laymen's opinion should prevail. On a question like this, it is the city fathers who should decide where the hospital should be located. Sir, we are told that in Western cities they are having hospitals in the midst of populous centres. I do not think we can compare such a state of things with our cities where sanitation is not perfect. It is said that a hospital is a different thing from a sanatorium. I can agree that a Tuberculosis Institute is different from a sanatorium but I believe there is very little difference between a hospital and a sanatorium in the case of the treatment of a disease like tuberculosis. So far as tuberculosis is concerned, eminent medical men have said that patients should be isolated from each other and should be kept separate, and that they must have the hospital in a large compound. How can you secure a very large compound within the city? If you want it, you will have to rob the people of Pura, Vepery and Egmore of the playgrounds now used by hundreds of school children. I am a resident of this place for twenty years, and I remember as a little fellow to have played games in the open spaces in Egmore. I do not want young children being deprived of that fine place for play and games. I have no objection to the Institute being continued there, but the hospital should be situated somewhere in the suburbs of Madras, and in these days of fast communications it would not be very difficult for people to reach the hospital. As a matter of fact, the Tuberculosis Hospital will be used not only by the citizens of Madras but by people from all places in the Presidency. When a patient comes from the mufassal, generally three or four relations come with him and invariably one or two of them will get the disease and thus increase the number of persons affected by tuberculosis. I do not want hundreds of persons to come into the city and pollute the health of the city. It is true that the number of persons suffering from tuberculosis in the city itself is large. I should also like that they should go out of the city to suburban places and get treated in a place like Tambaram, Guindy, Saidapet or Pallavaram which are said to be very good places by medical men for

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the treatment of this disease. I should say that so far as tuberculosis patients are concerned, they have no need to go to the hospital every day, as once they are admitted into the hospital they have to stay a month or two for treatment. Only the relations of the patient will have to go to the hospital now and then and they can travel by the electric trains easily. I do not think there can be any difficulty in choosing a place outside the Madras city. As my hon. Friend, Mr. James, suggested, the Government should not agree to any place which is opposed by the public, and I hope the hon. Minister would not agree to have it in the Spur tank or any other place in the city."

Mr. R. MADANAGOPAL NAYUDU:—"Mr. President, I have to say that this is a just demand which has been made by the Government. The Government entered into a contract for a certain building being built on the Spur tank site, and then they yielded to the agitation of the Corporation and of the citizens of this city to abandon that site. And it is a good turn they are doing to the contractor by paying him compensation. There is a strong body of opinion in the Madras Corporation that the location of this hospital within the city is a great danger to the citizens of the city. There is a great body of opinion among the Councillors of the Corporation and the residents of the localities round about the Spur tank against that site and the agitation against it has been very very strong. I should think, if my recollection is correct, that when Dr. T. M. Nayar was alive, he pitched upon a site somewhere near Aminjikarai."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"On a point of order, Sir, may I ask whether the hon. Member is right in referring to all those matters when the question is only payment of compensation to the contractor?"

Mr. R. MADANAGOPAL NAYUDU:—"Sir, I am saying that this payment to the contractor is perfectly justified as the Government themselves abandoned the site, and I also feel that before they enter into a contract for a similar purpose they should definitely come to a conclusion on this matter of site. In so doing, we suggest that they should consider the objections of the citizens of Madras. I know that there are some in Madras who have no objection to the hospital being built in a locality within the city which is not congested. But I think that if the hospital is situated very near Madras, as we have now got quick methods of locomotion, it will not be difficult for the people who want to go to that hospital to reach it.

12-15 p.m. "There is no objection on the part of the people to have an in-patient or out-patient hospital within the city, but the idea of a Tuberculosis Institute within the city is not liked by them. So, as I said, it was right that the Government gave up the idea of locating the hospital on the Spur tank site.

"It was said that there has been a mystery as to the methods by which this amount was arrived at. The note itself says that the Government Solicitor arrived at this amount after taking into consideration all the circumstances connected with this case. It was only after going

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through the various facts and figures that he arrived at this decision. It is not as if some laymen met together and arrived at the conclusion, that Rs. 48,000 and odd should be paid to the contractor. Therefore I see no reason to oppose this demand."

* Mr. YAKUB HASAN :—" Mr. President, this is the most unbusiness-like proposition that was ever placed before this Council. The whole estimate for the building of the hospital was about 7 lakhs, and here the contractor has claimed nearly one lakh. If the whole work had been done and finished, his profit might not have perhaps exceeded the Rs. 97,000 that he claims. Is it his claim that if the whole work that was given to him was executed he would have made 97 thousands but now that the contract has been cancelled he should be given that 97,000 which he would otherwise have made? If the proposition came in that form, then of course it would have to be considered in a particular way. But if he says that he had collected materials to a large extent and by selling them away he has incurred loss, that also cannot be believed; because the materials are not, as a rule, collected all at once as it would take a long time, two or three years, for the building to be completed; so it cannot be said that he lost so heavily on the resale of the materials. So, what he can claim is expenses connected with bringing the materials and making other preparations for this building. We have no details to show how this figure of Rs. 48,000 was arrived at as the amount of compensation to be given to him. To give away Rs. 48,000 for simply cancelling a contract is preposterous.

" There is also another point to be considered. If the Government had by this time decided about the site for the building and asked the contractor to shift his materials to the new site, then he would have been entitled only to the cost incurred in shifting the materials. After two years the case has come up before us; for it was in June 1929 that the contractor made the claim and in June 1931 it was decided to give away this amount of Rs. 48,000 as compensation, and now in November 1931 the Government come to us for a token demand. This is a most unbusinesslike procedure. I would ask the House to reject it and ask the Minister in charge to reconsider this proposition anew.

" In the meantime, we shall have to decide about the site. I cannot understand why the Government have taken such a long time over this question of selection of the site? If they had taken up this matter before now and taken steps to come to a decision earlier, a very large portion of this amount could have been saved by giving the contract to the same person. I do not want to go into the question of the site, because, as was pointed out, that question is not at all before us now. But since reference has been made to it, I am constrained to observe that Government have come to a hasty conclusion in deciding not to build on the Spur tank. There was some agitation, no doubt, but the strength of the agitation was exaggerated. Simply because the Corporation has passed a resolution against the proposed site, that does not mean that the Corporation does accurately represent public opinion in this case. I am not aware that there has been very strong feeling against the location of this hospital on the Spur tank. I feel that the question should be

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reopened and public opinion invited on this question; and until public opinion has asserted itself and Government are in a position to decide, this matter should remain in abeyance. If it is decided to build on the Spur tank only, then there is no question of compensation. But if it is decided that it should be built elsewhere, then the same contractor may be asked to tender for it, and then some compensation may be paid to him for the loss incurred by him on account of the change of site. So, I suggest that this matter should be sent back to the Ministry for reconsideration."

Mr. T. S. RAMASWAMI AYYAR:—" Mr. President, I am in agreement with the views of my Friend, Mr. James, with regard to the two points adverted to by him. With regard to the compensation that has to be given to the contractor, I am afraid that the Government should reimburse the contractor the loss incurred, for after all the Government is like any private individual bound to honour its contract. If any damage is sustained by the contractor, it is bound to reimburse him the loss sustained. One wishes however that the amount were smaller, for one cannot understand how such a large amount as half a lakh could be given as compensation, merely because the contractor took pains to store certain materials on the site; but in any case the Government having come to the conclusion after consultation with the Government Solicitor and other responsible officers, I take it, it is not right that the Members of this House should ask the Government to go back. So far as the question of site is concerned, as my Friend, Mr. James, observed, there have been divergent opinion expressed in the debates at the Corporation meetings. There is one view that the Tuberculosis hospital should not find a place within the city itself. Another is that it should be within the city itself though not at the particular site proposed. Persons who favour the latter view have got the support of medical opinion which says that tuberculosis is not such a dreadful disease that the people suffering from it need to be isolated and treated worse than lepers. We know, Sir, equally contagious and infectious diseases are treated in our hospitals. There cannot be a greater infectious disease than enteric. We know that enteric patients are treated in the hospitals, and treated also in their own homes, and no objection is raised. But at the sight of tuberculosis patients, people are scared away and they are averse to treat them even as members of society, merely because it is a wasting disease and very difficult to cure. I think it is a most dangerous view that can be taken by the members of a society who owe a duty to each other. Formerly even cholera patients were left alone, and at one time when superstition about cholera prevailed, it used to be said that the cholera patient was left alone with a pot of water and if the person outlived the disease then the other persons would approach him. Society has progressed very much since those days, and now we realize we owe a duty to all members of the society. We know that Corporation maintains isolation hospitals, one at Tondiarpet and another at Krishnampet. The latter is in the midst of a highly congested locality. We know cholera, plague and smallpox cases are treated there. Still the Corporation looks askance at the Tuberculosis hospital, and some of the members of the Corporation expressed the opinion that a Tuberculosis hospital in the city would be

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a very dangerous thing. I submit that it is not the right view to take. If a tuberculosis patient is to be sent outside, what is to become of his relations who would like to see him often? My Friend, Mr. Muthiah Chettiyar, referred to the fact that when once a patient gets into the hospital, he has to stay there till he is cured. I do not know whether he means, till he dies. Will there not be anxiety on the part of his relations to visit him often? In the case of poor people, and many of the residents in Madras are really poor, is it possible for them to visit the patient if he is sent away to places outside Madras? Much confusion has been created by this fact that a hospital is confounded with a sanatorium. It may be well to have a sanatorium somewhere in Mambalam or Tambaram or Madanapalle, but it is not for all, because all cannot go to it. An ideal sanatorium is perhaps in Switzerland. How many people can afford to go there? So, it is the duty of the Corporation to run a hospital for tuberculosis and for all diseases that afflict the people in the city. The objection seems to be to the dispensary for tuberculosis. But the dispensary is a very necessary thing. It is feared that infection may spread if such a dispensary is within the city, but in the case of a hospital, patients get in there and are taken care of, and even chances of infection are so remote because of the precautions taken by the medical authorities.

“That is the view of one of the hon. Members. At the same time, Sir, I am aware that there is a great public feeling against the location of the hospital on the Spur tank site. It is not that the hospital should not be there, but that the place should be spared for use as playground. I agree with that view; I am at one with those who think that the hospital should not be located in Spur tank. But there are other places in Madras. Why should you not select other sites? Why should you say that ‘if it is a question of Tuberculosis hospital take it away outside the city’? I cannot but think that people who suggest this believe in the saying, ‘out of sight, out of mind.’

“If you are going to have the hospital, Sir, I think the constitution of a committee or a conference of people interested in the subject would really solve the problem. Between these two schools of thought what really happens is that the thing that we want to prevent is going on. The idea at the back of their minds when people did not want to have this hospital at the Spur tank was that it should not be located in the City of Madras. The other school of thought is that it should be within the city. As between these two schools of thought, the hospital remains at Royapettah and the Government do not want to make a move but prefer to let things as they are. So it is high time that the Government take steps to consult medical men and laymen interested in the matter and come to a definite conclusion regarding the location of this hospital. The present building of the hospital in Royapettah is in a dilapidated condition. It is in a very unsatisfactory condition and therefore the problem deserves better treatment at our hands. And for that purpose, I agree with the hon. Member, Mr. James, that the formation of a conference or committee is very necessary.”

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Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, I feel compelled to thank the Government for having decided to stop the construction of the Tuberculosis Hospital in Spur tank. In the first place, it is very unusual for the Government to accede to reasonable requests made by the people. In this case, whether on account of the support to this representation from influential members of the Justice party or otherwise, I am glad that the Government have lapsed into a very right conclusion.

"Sir, the Corporation and its councillors were sending representation after representation to the Government objecting to the continuance of the Tuberculosis Hospital in Temple Gardens, Royapetta. The reason for their objection was that the continuance of the Tuberculosis Hospital in a locality like that would spread that disease even among those who were not affected by it. The Government continue to turn their deaf ear to those representations and the objection therefore continues. I hope, Sir, that with the change of policy in the Government in listening to the representation of the people, they will go one step further and remove the Tuberculosis Hospital from the Temple Gardens. There is, no doubt, difference of opinion regarding the infectious nature of this disease. Whatever that may be, there is not perhaps one Indian family which has not to mourn at least for one tuberculosis patient among its members, latent or patent. Therefore, the need for a hospital not only for the city of Madras but also for the rest of the Presidency, is very keen.

"Sir, the objection raised to the location of the hospital on the Spur tank site was based on the fact that that area is congested. That same objection will hold good in any area in the city of Madras. For, I cannot conceive of any area in the city which cannot be said to be congested. The city population during the last decade has increased by 25 per cent from $5\frac{1}{4}$ lakhs. The city therefore is certainly very congested. That being the case, it is very necessary to locate the Tuberculosis Hospital outside the municipal limits of Madras. But it should not be far away from the city. Of course people who have the wherewithal to meet the expenditure, suffering from this disease, may go to Pallavaram or to Aminjikarai for a cure. The conditions obtaining in the City of Madras are not conducive to the cure of this disease. It is very necessary that these unfortunate persons in whom the germs of this wasting disease are detected, should at the earliest possible moment leave the City of Madras and they should be helped to do so both in the interests of the health of the city and in the interests of the patients themselves. The site at Aminjikarai was suggested for the location of the hospital, but it was purchased by the Corporation for locating the Infectious Diseases Hospital. The present medical opinion also seems to be against constructing the Tuberculosis Hospital at Aminjikarai. From the layman's point of view, I also agree with this view, because the surroundings in that area are anything but satisfactory for the location of the hospital. The best site therefore that I can possibly think of is some place between Saidapet, Guindy and Pallavaram. There is a vast area there and the place is accessible not only from the city but also

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from the mufassal. There is already a hospital in Thambram. I know several people are going there although the cost of living there is prohibitive and not within the reach of the middle-class people. If the Government construct a hospital there, it will confer a very great blessing to people all over the Presidency. Moreover, there is a complaint from the representatives of the mufassal that too much money is spent on the city of Madras. I do not want that the Corporation should share that blame by having the Tuberculosis Hospital in the city. Let it be outside the municipal limits by all means.

"So far as the award of damage to the contractor is concerned, I find that the figure of the award, Rs. 48,773 has frightened hon. Members. I may say, Sir, that this award works out at 7 per cent of the cost of the works contracted for. I suppose the contractor must have lost the profits he would have derived if the work had been proceeded with. In my opinion he is justly entitled to claim this percentage. Generally we do not expect large amounts being paid by the Government in such cases, but that is no reason why this should be objected to. I hope the hon. Minister while selecting a site in the locality I mentioned, will soon remove the hospital from the Temple Gardens as it is likely to spread infection in the locality."

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I am glad that there have been various views expressed in this House on the question of the site for the Tuberculosis Hospital. My friends who spoke on the subject ought to know what really happened in the year 1929 when this scheme was abandoned. There was a unanimous resolution of the Corporation of Madras and protests from various residents in the neighbourhood of the Spur Tank site for the abandonment of the proposed construction. The scheme itself was sanctioned in 1928 and in 1929 the contract was given and the work was taken up. Immediately there were certain interpellations put in this House and also a motion for adjournment of the House given notice of by Dr. Mallayya on the matter. The hon. Minister said this: 'It has been decided to construct on the Spur Tank a comprehensive building for a Tuberculosis Hospital at an early date at a cost of 6.96 lakhs and the work is about to be started.' In reply to a question whether the proposal to construct a Tuberculosis Hospital on the Spur Tank has been abandoned, put by Mr. Basheer Ahmed, one of the prominent members of the Corporation, the hon. Minister said that it has not been abandoned. The following questions also were then put and answered:—

'Mr. S. SATYAMURTI:—"May I know, Sir, whether the hon. Minister is aware that the Corporation passed a unanimous resolution protesting against the construction of the hospital on that site?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Yes."

Mr. S. SATYAMURTI:—"May I know what has happened to that?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The matter is being looked into."

Mr. S. SATYAMURTI:—"Do the Government propose to go on with the work while the consideration is going on, or suspend work?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The work has been suspended two weeks ago and until final decision is come to, it will not be proceeded with."

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"Now, Sir, when the Corporation passed this resolution unanimously, it was the duty of both these members who were of the Corporation to have differed from that decision of the Corporation. Having kept quiet then, it does not look well that they should now come before the Council and say that they did not want that resolution to be passed. (Mr. Basheer Ahmed Sayeed: I differed on the last resolution of the Corporation.) Differed on the last resolution, but not on the resolution of 1929. My friend, Mr. Pocker, is not tired of saying that for all and sundry the party now in power is responsible. He has been in this Council only for less than a year. I am sure he will hereafter take care to read the proceedings before he makes incorrect remarks. In 1929 we were not in office. We are not therefore responsible for what happened then. On the other hand, the Leader of the Opposition, under whose banner he is now functioning, was responsible for it.

"Sir, objection was taken to this grant on the ground that the claims of the contractor might have been met by giving him the contract for the new hospital that may be built. On that point the Government have been considering various alternatives. At one time it was decided to have it located at Aminjikarai just outside the municipal limits; but later on it was found that that was not a suitable site. Other alternatives proposed were considered. The present Surgeon-General is clearly of opinion that the construction of the Tuberculosis Hospital must be as near as possible to the General Hospital, because the hospital has to serve not only the patients but also the students reading in the college. So, he is of opinion that it must be, as far as possible, within the city limits. It was for these reasons that possible alternative sites had to be examined. When the resolution protesting against the construction of the Tuberculosis Hospital in Royapetta was before the Corporation, not one of the ten hon. Members here who are also members of the Corporation opposed it. Mr. Sami Venkatachalam Chetti wants that for all time to come no Tuberculosis Hospital should be constructed within the Madras City itself. I am glad to see at least now he recognizes that Madras has got more than its due share in the matter of expenditure as far as conveniences are concerned. Whatever may be the reason for his supporting the resolution which was sponsored and passed by the city fathers, the fact remains that it was accepted by the Government and the Government should not be blamed if they were wrong in accepting the recommendation of the Corporation.

"As regards the reason for arriving at the sum of Rs. 48,000 odd as award for the contractor, I may inform hon. Members that various proposals put forward by the contractor's counsel were examined by Government and this award was considered to be the best and the most favourable to the Government.

"Then there was the appeal by Mr. James that the question of having the hospital constructed in the Madras City should not be given up. I may say that nobody is anxious to give up such a useful institution as this. But whatever may be the ultimate decision of the Government, I think, Sir, that in the present financial circumstances,

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it will not be possible to take up the question of building a Tuberculosis Hospital costing about 7 lakhs of rupees. The sum that we have got on hand for the purpose is only Rs. 2½ lakhs. I do hope that there will be some kind of unanimity among those who represent the town as to where it should be located."

The hon Mr. P. T. RAJAN:—"Sir, I will only deal with the portion 12-45 which relates to the figures. The following are the claims put in by p.m. the contractor:—

		RS.
Items 1 to 5	Erection of thatched sheds, erection of latrines and establishment charges.	1,150
Item 6	Advance to Ubbaravas for earthwork.	500
Item 7	Penalty for 59½ lakhs of bricks at Rs. 5 per 1,000	29,750
Item 8	Advance for 12,000 c.ft. of brick jelly at Rs. 6 per c.ft.	600

(Mr. Abdul Hameed Khan: Penalty?) Yes, because the contract was entered into between the department and the contractor and the work was proceeded with. The contractor had to advance money to several men for bringing in materials. Then, Sir,

		RS.
Item 9	Damages for 31,000 c.ft. of pit jelly at Rs. 10 per 100 c.ft.	1,860
Item 10	Penalty for 20,000 c.ft. of baby jelly at Rs. 10 per 100 c.ft.	2,000
Item 11	Claim for casuarina posts	1,000
	Compensation for loss of crops on kiln areas	500
	Half the cost of materials at site	3,380
	For loss of profit on Rs. 4,85,000 being value of contract at 10 per cent	48,500

Additional claims.

Interest on security deposit at 12 per cent	1,150
Interest on the sum claimed in January 1929 at 12 per cent.	7,323
Total	97,713

"Of course the whole question has been gone into by the Government experts, the Chief Engineer and others. We had also the benefit of advice of the Government Solicitor who said that we might compromise the case by giving the contractor Rs. 48,000. . ."

(A voice:—Was the Advocate-General consulted?)

The hon. Mr. P. T. RAJAN:—"The Government Solicitor was consulted."

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“ Sir, the payment of Rs. 48,000 was agreed to for the simple reason that by this compromise Government would be the gainer. In view of that, I do hope that the Council will approve of the payment of the above sum to the contractor.”

The demand was put and carried and the grant made.

III.—A BILL TO AMEND THE MADRAS ELEMENTARY EDUCATION ACT, 1920.

* The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I beg to present the Report^a of the Select Committee appointed to consider the Bill to amend the Madras Elementary Education Act, 1920 (Bill No. 24 of 1931) and move that the Bill, as amended by the Select Committee, be taken into consideration.”

The hon. Mr. P. T. RAJAN:—“ I second it.”

The motion was put and carried.

Clauses 1 to 9 were put and carried.

Clause 10.

* The hon. the PRESIDENT:—“ Let the hon. Member Mr. Nachiyappa Goundar move only the amendment to sub-clause (2).”

Mr. K. A. NACHIYAPPA GOUNDAR:—“ I beg to move the amendment that stands in my name as follows:—

‘ For the proposed sub-section (2) of section 47 and the proviso thereto, substitute the following, viz.,

(2) No fees shall be levied from any such child at any other elementary school situated in the said area:

Provided that the loss of fee income calculated at standard rates as prescribed shall be paid to such school by the local authority or panchayat concerned by way of compensation from its elementary education fund.’

“ In moving this amendment I should like to say only a few words. In areas where compulsion is introduced the local bodies also are levying education cess and collecting the same from the poor parents. Every parent is compelled to send his children to any public school that may be situated in his locality (not necessarily a school established by the local body) and if he fails to do this, he is punishable under the Act. If there is no public school run by a local body in a place, the parent has perforce to send his children to the aided institution which is situated close by. According to the clause as it stands in the Bill, fees may be levied by aided institutions. The parents pay education cess to the local boards and in return for that they must get some benefit. If there are no schools maintained by local boards, the poor parents will have to send their children to aided institutions. In this way these poor persons are taxed in both the ways, i.e., they will have to pay education cess